

**COMMONWEALTH OF MASSACHUSETTS  
BOARD OF REGISTRATION IN NURSING**  
239 Causeway Street, Room 417A  
Boston, MA 02114

**Minutes of the Regularly Scheduled Board Meeting**  
Wednesday, December 14, 2016

**Board Members Present**

K. Gehly, CNP, Chair  
B. Levin RN, Vice Chair (arrived at 9:40)  
J. Killion, LPN (arrived at 9:35)  
C. LaBelle, RN  
A. Peckham, RN  
C. Simonian, PharmD, RPh  
P. Gales, RN (arrived at 9:35)  
J. Fantes, MD  
L. Keough, CNP  
G. Dufault, LPN  
D. Zucker, RN  
D. Drew, Public Member

**Board Members Not Present**

S. Abbott, Public Member

**Staff Present**

L. Silva, RN, DNP, Executive Director  
C. MacDonald, RN, DNP, Deputy Executive Director  
C. Silveira, MS, RN, Assistant Director  
K. Ashe, RN, Nursing Education Coordinator  
O. Atueyi, JD, Board Counsel  
H. Cambra, RN, JD, Complaint Resolution Coordinator  
D. M. DeVaux, RN, SARP Coordinator  
A. Fein, RN, JD, Complaint Resolution Coordinator  
V. Iyawwe, RN, SARP Coordinator  
K. Keenan, Licensing Coordinator  
C. Pascarella, JD, Probation Staff  
L. Talarico, CNP, Nursing Practice Coordinator  
T. Westgate, Program Coordinator  
B. Oldmixon, Board Counsel  
K. Fishman, Probation Monitor

**Staff Not Present**

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**TOPIC:**

Call to Order & Determination of Quorum

**DISCUSSION:**

A quorum of the Board was present.

**ACTION:**

At 9:01 a.m., K. Gehly, Chairperson, called the December 14, 2016 Regularly Scheduled Board Meeting to order.

December 14, 2016 Regular Minutes  
(Approved 01/19/2017)

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**TOPIC:**

Approval of Agenda

**DISCUSSION:**

V. Iyawe stated that there was no SARP activity report.

**ACTION:**

Motion by D. Drew, seconded by G. Dufault, and unanimously passed to approve the agenda as revised.

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**TOPIC:**

Approval of Board Minutes for the November 9, 2016 Meeting of the Regularly Scheduled Board Meeting

**DISCUSSION:**

None.

**ACTION:**

Motion by L. Keough, seconded by C. LaBelle, and passed to accept the Minutes of the November 9, 2016, Regularly Scheduled Board Meeting. G. Dufault abstained from the vote.

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**TOPIC:**

Reports, Announcements, and Administrative Matters

- A. Executive Director's Report
- B. Announcements

**DISCUSSION:**

- A. Board members and staff introduced themselves. L. Silva stated that V. Iyawe would be retiring at the end of the month and thanked her for her work. V. Iyawe thanked the Board and staff. L. Silva stated that there would be a presentation to the Board regarding the Enhanced Nursing Compact at a future meeting.
- B. V. Berg briefed the Board on the status of the regulation review and stated that there would be another Public Hearing on January 9<sup>th</sup> at 10:00 AM.

**ACTION:**

- A. So noted.
- B. So noted.

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**TOPIC:** Probation

- A. Probation Staff Action Report
- B. Request for extension of Probation in the matter of A. Furnelli, RN120691, NUR-2013-0187

**DISCUSSION:**

- A. K. Fishman was available for questions on the Probation report. K. Gehly stated that it was good to see that nine members had completed probation.

- B. C. Pascarella briefed the case to the Board. The licensee asked for an extension to find employment. C. Pascarella recommended extending the probation by six months with the standard probation conditions.

**ACTION:**

A. So noted.

B. Motion by C. LaBelle, seconded by A. Peckham, and unanimously passed to extend the probation with the standard conditions.

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**TOPIC:**

Practice

**DISCUSSION:**

L. Talarico was available for questions on her report.

**ACTION:**

So noted.

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**TOPIC:**

Education

A. Education Staff Report:

B. 244 CMR 6.04(1)(c) & (1)(f) Administrative Changes:

1. Holyoke Community College, Practical Nursing Program (Program Administrator)

2. Salem State University, School of Nursing, Baccalaureate Degree RN Program (Program Administrator)

C. 244 CMR 6.08(1)(h) NCLEX pass rate less than 80% for first time writers On Site Survey MCPHS University Baccalaureate Degree RN Program (Boston).

D. 244 CMR 6.08 (1)(h): NCLEX pass rate less than 80% for first time writers On Site Survey Elms College Baccalaureate Degree RN

**DISCUSSION:**

A. D. Drew stated that she would have to recuse herself from the MCPHS report.

B. K. Ashe briefed the Board on the administrative changes and recommended the Board accept the administrative changes. K. Gehly asked to reorder the agenda to complete item D before C.

C. Started back at 10:31 AM. RECUSAL: C. Simonian and D. Drew recused themselves from this matter and left the room during the deliberation and vote. K. Ashe briefed her site visit to the Board and gave key points on the report. K. Ashe recommended that the Board accept the compliance report. K. Gehly asked for clarification on the use of part time faculty. L. Silva asked about reduction of class sizes. D. Zucker gave advice on handling large class sizes. The program administrator responded with how the school was implementing new strategies and that the school appreciated the visit by the Board.

D. D. A. MacDonald briefed the Board on the site visit to Elms College and gave the key findings to the Board. A. MacDonald recommended the Board accept the staff recommendations and that the Board place Elms College on warning status. D. Drew asked how many years Elms College had a pass rate below 80%. A. MacDonald stated that it was three times in six years. D. Zucker asked how the Board decided on the deadlines and A. MacDonald stated that the Board would work with the schools. L.

Keough asked about the accreditation status and A. MacDonald stated that they were accredited at this time.

**ACTION:**

A. So noted.

B. Motion by C. Simonian, seconded by D. Drew, and unanimously passed to accept the administrative changes.

C. Motion by A. Peckham, seconded by D. Zucker, and unanimously passed to accept the recommendation.

D. Motion by D. Drew, seconded by L. Keough, and unanimously passed to accept the staff recommendations. K. Gehly asked to have item C moved until the other Board members arrived.

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**TOPIC:**

Strategic Development, Planning, and Evaluation

A. Systematic Policy Evaluation:

1. SOC Policy 01-01: Determination of Compliance with 244 CMR 9.03(15) Prohibiting Patient Abandonment

B. Topics for Next Agenda

**DISCUSSION:**

A. A. Fein briefed the Board on the Patient Abandonment policy and asked the Board to approve the policy.

**ACTION:**

Motion by C. Simonian, seconded by D. Zucker, and unanimously passed to accept the recommendation.

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**TOPIC:**

G.L. c.30A, §21 Executive Session

**DISCUSSION:**

K. Gehly stated that the Board would return to Regular sessions to handle MCPHS once the remaining Board members arrived.

**ACTION:**

Motion by L. Keough, seconded by A. Peckham, and unanimously passed by roll call vote to go into Executive Session at 9:23 a.m. as per Purpose One of G.L. c.30A, §21 (a)(1).

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**G.L. c. 30A, § 21 Executive Session 9:23 a.m. to 10:20 a.m.**

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**TOPIC:**

G.L. c. 112, s. 65C Session

**DISCUSSION:**

None

**ACTION:**

December 14, 2016 Regular Minutes  
(Approved 01/19/2017)

Motion by B. Levin, seconded by D. Drew, and unanimously passed by roll call vote to go into G.L. c. 112, s. 65C Session at 10:47 a.m.

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**G.L. c. 112, s. 65C Session 10:47 a.m. to 11:08 a.m.**

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**TOPIC:**

Adjudicatory Session

**DISCUSSION:**

None

**ACTION:**

Motion by B. Levin, seconded by P. Gales, and unanimously passed by roll call vote to go into Adjudicatory Session at 11:08 a.m. to discuss decisions in pending adjudicatory matters.

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**Adjudicatory Session 11:08 a.m. to 11:20 a.m.**

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**TOPIC:**

Adjournment

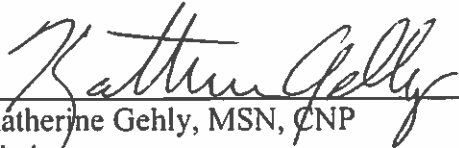
**DISCUSSION:**

None

**ACTION:**

Motion by B. Levin, seconded by J> Killion, and unanimously passed to adjourn the meeting at 11:21 a.m.

Minutes of the Board's December 14, 2016, Regularly Scheduled Meeting were approved by the Board on January 19, 2017.

  
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Katherine Gehly, MSN, CNP  
Chairperson  
Board of Registration in Nursing

Agenda with exhibits list attached.

**COMMONWEALTH OF MASSACHUSETTS**

**NOTICE OF THE REGULARLY SCHEDULED MEETING OF THE  
BOARD OF REGISTRATION IN NURSING**

December 14, 2016

239 Causeway Street ~ Room 417 A&B  
**Boston, Massachusetts 02114**

**PRELIMINARY AGENDA AS OF 11/21/16 12:20pm**

Estimated Time	#	A. Item	Exhibits	Presented by
9:00 a.m.	I.	<b>B. CALL TO ORDER &amp; DETERMINATION OF QUORUM</b>	None	
	II.	<b>APPROVAL OF AGENDA</b>	Agenda	
	III.	<b>APPROVAL OF BOARD MINUTES</b> A. Draft Minutes for the November 9, 2016 Meeting of the Board of Registration in Nursing, Regular Session	Minutes	
	IV.	<b>REPORTS, ANNOUNCEMENTS AND ADMINISTRATIVE MATTERS</b> A. Executive Director's Report B. Announcements	Oral	LS
	V.	<b>SARP</b> A. SARP Activity Report	Memo	VI/DMD
	VI.	<b>PROBATION</b> A. Probation Staff Action Report B. Request for extension of Probation in the matter of A. Furnelli, RN120691, NUR-2013-0187	Memo	KF/CP
	VII.	<b>PRACTICE</b> A. Nursing Practice Staff Report	Memo	LT

	<b>VIII. EDUCATION</b> A. Education Staff Report: B. 244 CMR 6.04(1)(c)&(1)(f) Administrative Changes: 1. Holyoke Community College, Practical Nursing Program (Program Administrator) 2. Salem State University, School of Nursing, Baccalaureate Degree RN Program (Program Administrator) C. 244 CMR 6.08(1)(h) NCLEX pass rate less than 80% for first time writers On Site Survey MCPHS University Baccalaureate Degree RN Program (Boston). D. 244 CMR 6.08 (1)(h): NCLEX pass rate less than 80% for first time writers On Site Survey Elms College Baccalaureate Degree RN	None Report  Compliance Report  Compliance Report	KA  KA  AM
	<b>IX. REQUESTS FOR LICENSE REINSTATEMENT</b> A. None		
	<b>X. STRATEGIC DEVELOPMENT, PLANNING AND EVALUATION</b> A. Systematic Policy Evaluation: 1. SOC Policy 01-01: Determination of Compliance with 244 CMR 9.03(15) Prohibiting Patient Abandonment B. Topics for Next Agenda	Memo	ASF
<>	<b>LUNCH</b>		
	<b>XI. EXECUTIVE SESSION</b> The Board will meet in Executive Session as authorized pursuant to M.G.L. c.30A, § 21(a)(1) for the purpose of discussing the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual.  1. Specifically, the Board will discuss and evaluate the Good Moral Character as required for registration for pending applicants.  2. Specifically, the Board will discuss and evaluate the reputation, character, physical condition or mental health, rather than professional competence, of licensees relevant to their petitions for license status change.  3. Approval of prior executive session minutes in accordance with M.G.L. ch.30A, § 22(f) for sessions held during the November 9, 2016 meeting.	CLOSED SESSION	
	<b>XII. M.G.L. c. 112, § 65C SESSION</b>	CLOSED SESSION	
	<b>XIII. ADJUDICATORY SESSION (M.G.L. ch. 30A, § 18)</b>	CLOSED SESSION	
2:00 p.m.	<b>XIV. ADJOURNMENT</b>		